

DRAFT – NOT APPROVED BY LGA OR CLEARED BY LEGAL TEAM

### **Code of Conduct Option 1**

This Code is adopted pursuant to the Council's statutory duty to promote and maintain high standards of Conduct by members and co-opted members of the authority.

This Code is not intended to be an exhaustive list of all the obligations placed on members and co-opted members of this authority. It is your responsibility to comply with the following provisions of this Code as well as other legal obligations beyond the scope of this Code.

This Code is based on and consistent with the following principles:

#### **SELFLESSNESS**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.

#### **INTEGRITY**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

#### **OBJECTIVITY**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### **ACCOUNTABILITY**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### **OPENNESS**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **HONESTY**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **LEADERSHIP**

Holders of public office should promote and support these principles by leadership and example.

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This Code applies to all:

- (a) members of this authority, and
- (b) co-opted members of this authority

when acting in your role as a member/ co-opted member.

A “co-opted member” for the purpose of this Code is, as defined in the Localism Act 2011 section 27(4) is “a person who is not a member of the authority but who

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

### **Part 1: General obligations for members and co-opted members**

1. When acting in your role as a member or co-opted member of the authority:
  - 1.1. **Do** treat others with respect.
  - 1.2. **Do** ensure that you are aware of and comply with the requirements which the Bribery Act 2010 places on you in your role as a Member and on the Council as a whole.
  - 1.3. **Do not** do anything which may cause your authority to breach any of the equality enactments (as defined in Section 33 of the Equality Act 2006(a)).
  - 1.4. **Do not** bully any person.
  - 1.5. **Do not** do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
  - 1.6. **Do not** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
    - (i) you have the consent of a person authorised to give it;
    - (ii) you are required by law to do so;
    - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
    - (iv) the disclosure is—
      - (aa) reasonable and in the public interest; and
      - (bb) made in good faith and in compliance with the reasonable requirements of the authority
  - 1.7. **Do not** prevent another person from gaining access to information to which that person is entitled by law.

## Appendix 2

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2. When making decisions on behalf of or part of the authority:
  - 2.1. **Do** have regard to any relevant advice provided to you by the Council's chief financial officer and Monitoring Officer where such advice is offered pursuant to his or her statutory duties.
  - 2.2. **Do** give reasons for the decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority.
  
3. When using or authorising the use by others of the resources of the authority—
  - 3.1. **Do** act in accordance with the authority's reasonable requirements including the requirements of the authority's ITC policy and the policies listed at *[councils to insert link or reference to annexes]* which you are deemed to have read ;
  - 3.2. **Do** make sure that such resources are not used improperly for political purposes (including party political purposes); and
  - 3.3. **Do** have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
  - 3.4. **Do not** improperly use knowledge gained solely as a result of your role as a member for the advancement of your disclosable pecuniary interests.

### **Part 2: Registration and disclosure of interests by members and co-opted members**

*[To be completed subject to steer from the Leadership Board and further legal advice]*

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### **Code of Conduct Option 2**

As members or co-opted members of *[X authority]* we have a responsibility to represent local people and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

When acting in this capacity we are committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

#### **SELFLESSNESS**

- We will champion the needs of our residents and put their interests first.
- We will take representations from our residents seriously and not allow other pressures, including our own financial interests, to deter us from pursuing casework or otherwise advocating for our electors in order to achieve a result.

#### **INTEGRITY**

- We will not compromise our position by placing ourselves under obligations to outside individuals or organisations who might seek to influence the way we perform our duties as members/co-opted members of this authority.

#### **OBJECTIVITY**

- We will listen to the interests of all parties, remain objective and make decisions on merit, for example when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.

#### **ACCOUNTABILITY**

- We will be bold in taking decisions and be accountable for them when scrutinised internally and externally, including by our residents.

#### **OPENNESS**

- We will make our decisions as open and transparent as possible to enable our residents to understand the reasoning behind them and be informed when holding us to account for them.
- We will only restrict information when the wider public interest or the law clearly demands it.

#### **HONESTY**

- We will act in accordance with all our legal obligations as outlined in Schedule 1, as well as any requirements contained within *[X council's]* policies and procedures.

#### **LEADERSHIP**

- We have a duty to provide leadership and accountability for public services which may require us to champion our residents' interests with other organisations as well as the council's own departments.

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- We will value our colleagues and staff and lead by example by seeking always to treat people we work alongside with respect.

**Part 2: Registration and disclosure of interests by members and co-opted members**

*[To be completed subject to steer from the Leadership Board and further legal advice]*